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May 11, 2017\
BY ECF

Honorable Cheryl L. Pollak
United State Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Smith et als. v. City of New York, et al., 15 CV 3859
(PKC)(CLP)

Your Honor:

I represent the Plaintiffs in this matter. Plaintiff writes to compel Defendants to supply video of the underlying incident via “emailed” data files. On multiple occasions, plaintiffs have made this request and, to date, have received an oblique response. As best plaintiffs can glean, Defendants are refusing. Defendants were informed this morning that Plaintiffs intended to make this request.

On three occasions Plaintiffs have received this video on CD-ROM. Each time, difficulties have arisen in its viewing. Plaintiff is unable to ascertain if these issues relate to defects in the CD-ROM, issues with plaintiffs’ video player, or problems with the video file. Receiving this file via email will eliminate this confusion.

I thank Your Honor for consideration of this request

Respectfully submitted,

/s

Robert Marinelli

cc: ACCs John Garcia, Brachah Goykash